

DANA McRAE, State Bar No. 142231  
County Counsel, County of Santa Cruz  
JASON M. HEATH, State Bar No. 180501  
Assistant County Counsel  
701 Ocean Street, Room 505  
Santa Cruz, California 95060  
Telephone: (831) 454-2049  
Fax: (831) 454-2115

# **Attorneys for Defendant County of Santa Cruz Housing Authority**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CLARE F. NELSON,  Plaintiff,  v.  BARBARA WOODFORD; SANTA CRUZ COUNTY HOUSING AUTHORITY,  Defendants.	Case No. CV 06-06485 JF  <b>RESPONSE TO PLAINTIFF'S FAILURE TO OPPOSE DEFENDANT'S MOTION TO DISMISS COMPLAINT</b>  <b>(FRCP 12(b)(6))</b>  <b>Date: May 2, 2008</b> <b>Time: 9:00 a.m.</b> <b>Dept: 3 (Hon. Jeremy Fogel)</b>
--	---

Defendant Santa Cruz County Housing Authority's motion to dismiss is set for hearing on May 2, 2008. Plaintiff's opposition to the motion was due on April 11, 2008. To date, defendant has received no opposition to the motion. Accordingly, for the reasons set forth in its original moving papers, defendant Santa Cruz County Housing Authority requests that the Court grant its motion to dismiss this action.

Dated: March 25, 2008

**DANA McRAE, COUNTY COUNSEL**

By: /S/ JASON M. HEATH  
JASON M. HEATH  
**Assistant County Counsel**  
**Attorneys for Defendant Santa Cruz County**  
**Housing Authority**

## **PROOF OF SERVICE**

I, the undersigned, state that I am a citizen of the United States and employed in the County of Santa Cruz, State of California. I am over the age of 18 years and not a party to the within action. My business address is 701 Ocean Street, Room 505, Santa Cruz, California 95060. On the date set out below, I served a true copy of the following on the person(s)/entity(ies) listed below:

**RESPONSE TO PLAINTIFF'S FAILURE TO OPPOSE DEFENDANT'S  
MOTION TO DISMISS COMPLAINT (FRCP 12(b)(6))**

by **service by mail** by placing said copy enclosed in a sealed envelope and depositing the sealed envelope with the United States Postal Service with the postage fully prepaid.

**X by service by mail** by placing said copy enclosed in a sealed envelope and placing the envelope for collection and mailing on the date and at the place shown below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

by **express or overnight mail** by arranging for pick-up by an employee of an express/overnight mail company on:

by **facsimile service** at the number listed below and have confirmation that it was received by:

**Clare Nelson  
3318 Marion Street  
Denver, CO 80205**

**Clare Nelson  
1350 Irving Street, #235  
Denver, CO 80204**

I declare under penalty of perjury that the foregoing is true and correct. Executed April 18, 2008, at Santa Cruz, California.

/S/ MARIA VARGAS  
MARIA VARGAS